GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINORITIES WELFARE DEPARTMENT – KAZIs ACT, 1880 (Central Act XII of 1880) - Appointment of Sri Hafiz Patan Mahamad Hayath Khan, S/o (Late) Patan Dawood Khan, Nallacheruvu Village and Mandal, Sri Satya Sai District as Government Kazi of Nallacheruvu Mandal in addition to the existing Kazis, initially for a period of ten (10) years for performing Marriages of Muslim Community only - Notification - Orders - Issued.

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MINORITIES WELFARE (IDM-I) DEPARTMENT

G.O.Ms.No.29 **Dated:02/08/2023**

Read the following:

1. From the Dist. Collector, Ananthapuramu District, F.No.REV-HSECOMARW(MIS)/44/2020-SUPDT(H)-REVCOLATP, dt:29.09.2020.
2. Orders of the Hon'ble High Court dt:29.03.2023 in W.P.No.3876 of 2023 filed by Sri Hafiz Patan Mahammad Hayath Khan S/o Patan Dawood Khan Late, Nallacheruvu received on 24.04.2023

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O R D E R

In the reference first read above, the District Collector, Ananthapuramu District(erstwhile) has submitted a proposal for appointment of Sri Hafiz Patan Mahamad Hayath Khan, S/o (Late) Patan Dawood Khan, Nallacheruvu Village and Mandal, Ananthapuramu District(erstwhile) as Government Kazi of Nallacheruvu Mandal along with the reports of the Tahsildar, Nallacheruvu, the District Minorities Welfare Officer, Ananthapuramu and the Inspector Auditor of Waqfs, Aanthapuramu and stated that Sri Hafiz Patan Mahamad Hayath Khan, S/o (Late) Patan Dawood Khan, belongs to Patan-Muslim Community working as Pesh Imam at Madarasa-E-Riyazal Uloom Masjid, Nallacheruvu. The applicant has been performing Nikah according to Islamic Rules and also having knowledge on performance of Muslim rituals of Marriages and funerals. The applicant passed Hafiz-E-Quran & Madarasa-A-Madinul Uloom, Moulvi Course and he has not involved in any criminal and civil cases, and there are no adverse reports from his community people so far, as per the police verification certificate issued by Stating House Officer, Nallacheruvu. The Principal Muhammadans of the Nallacheruvu area have given their consent to appoint him as Government Kazi. Finally, the District Collector, Ananthapuramu (erstwhile), has requested to appoint Sri Hafiz Patan Mahamad Hayath Khan, S/o (Late) Patan Dawood Khan, Nallacheruvu Village and Mandal, as Government Kazi for Nallacheruvu Mandal of Ananthapuramu District(erstwhile), Now Sri Satya Sai District.

2. In the reference second read above, the Hon'ble High Court in its orders dt:29.03.2023 in W.P.No.3876 of 2023 received on 24.04.2023, has directed the 1st respondent (Principal Secretary to Government) to take necessary action on the communication of the District Collector, Ananthapur District, dated:29.09.2020 within a period of six (6) weeks.

3. After careful examination of the report of the District Collector, Sri Satya Sai District, Government hereby appoints Sri Hafiz Patan Mahamad Hayath Khan, S/o (Late) Patan Dawood Khan, Nallacheruvu Village and Mandal, Sri Satya Sai District as Government Kazi of Nallacheruvu Mandal in addition to the existing Kazis, initially for a period of ten (10) years for performing Marriages of Muslim Community only, subject to the following conditions:

1. The Kazi is answerable to the Government for his actions.
2. The appointment of the Kazi can be revoked by the Government on receipt of complaints/verification of records or in extreme cases without notice, if malafide is established as per record.
3. The Kazi shall not indulge any illegal activity in the conduct of marriages nor infringe any law established by the Government.

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4. The Kazi shall not carry out marriage of any minor.
5. The Kazi shall not act in any way which is prohibited in Islam or is not permissible in Islam.
6. The Kazi shall not conduct contract marriages.
7. The Kazi or his Naib Kazi shall not perform any marriage, in any area, beyond his specified Jurisdiction.
8. The Kazi shall charge the specified fee and nothing more than that.
9. The Kazi shall appoint not more than three (3) Naib Kazis and the names of such Naib Kazis shall be informed to the Government.
10. Government shall have the right to take disciplinary action against the Kazi, in case of any contravention of Law or of any conditions specified above.
11. The Kazi shall hand-over the Marriage Record to the Wakf Board, at the end of the tenure.

4. If any question arises whether any person has been rightly appointed as Kazi under the above said Section, the decision thereof by the State Government shall be conclusive. The State Government may, if it thinks fit, suspend or remove any Kazi appointed under this Section, who is guilty of any misconduct in the execution of his Office, or who is for a continuous period of six months absent from the local area for which he is appointed, or leaves such local area for the purpose of residing elsewhere, or is declared an insolvent or desires to be discharged from the office, or who refuses or becomes in the opinion of the State Government unfit, or personally incapable to discharge the duties of office.

5. The following Notification shall be published in the next issue of Andhra Pradesh State Gazette:

NOTIFICATION

" In exercise of the powers conferred by Section-2 of the Kazis Act, 1880 (Central Act XII of 1880), the Government of Andhra Pradesh, after consulting the Principal Muhammadans residents of local area, hereby appoints Sri Hafiz Patan Mahamad Hayath Khan, S/o (Late) Patan Dawood Khan, Nallacheruvu Village and Manal, Sri Satya Sai District as Government Kazi of Nallacheruvu Mandal in addition to the existing Kazis, initially for a period of ten (10) years for performing Marriages of Muslim Community only."

6. The Chief Executive Officer, Andhra Pradesh State Waqf Board, Vijayawada/the District Collector, Sri Satya Sai District shall take necessary action accordingly.

(**BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

A MD IMTIAZ
SECRETARY TO GOVERNMENT

To
Sri Hafiz Patan Mahamad Hayath Khan,
S/o (Late) Patan Dawood Khan, Nallacheruvu Village and Mandal,
Sri Satya Sai District. (through the District Collector, Sri Satya Sai District).
The District Collector, Sri Satya Sai District.
The Chief Executive Officer, A.P. State Waqf Board, Vijayawada.
Copy to:
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P.S. to Hon'ble Deputy Chief Minister & Minister for Minorities Welfare,
A.P. Secretariat, Velagapudi.
OSD to Secretary to Government,
Minorities Welfare Department, A.P. Secretariat, Velagapudi.
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER